

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHER DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**BROOKE BOGGS,**

**Plaintiff,**

**v.**

**A RESTAURANT GROUP, L.L.C.,**

**Defendant.**

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**CIVIL ACTION NO.  
1:25-cv-00226-C**

**ORDER**

This cause is before the Court on the Motion for Entry of Clerk’s Default Against Defendant (Doc. 10) filed by Plaintiff Brooke Boggs (“Plaintiff”). Having reviewed the motion and the record, the undersigned finds that Plaintiff’s motion to have the Clerk enter the default of Defendant A Restaurant Group, L.L.C. (“Defendant”) should be **GRANTED**.

Rule 55(a) provides that “[w]hen a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party’s default.” Fed. R. Civ. P. 55(a). In her motion, Plaintiff states that Defendant has failed to plead or otherwise defend this action. The record contains a copy of the Proof of Service (Doc. 7, PageID.45-46) that includes a declaration of the process server showing that the Complaint was served on Mark Frohlich, Registered Agent of Defendant, on June 11, 2025. After a review of the Court record, it is determined that it does not contain any answer, or any other pleadings or documents filed by Defendant. Based on the foregoing, the undersigned finds the Plaintiff has shown Defendant’s failure to plead or otherwise defend this action pursuant to Fed. R. Civ. P. 55(a).

Accordingly, the Plaintiff's request to have the Clerk enter a default under Fed. R. Civ. P. 55(a) is **GRANTED** and the Clerk is directed to enter the Defendant's default.

**DONE** and **ORDERED** this 21<sup>st</sup> day of August 2025.

**s/WILLIAM E. CASSADY**  
**UNITED STATES MAGISTRATE JUDGE**